



US Army Corps  
of Engineers  
Memphis District

# Public Notice

**REPLY TO ATTN:** Joe Brougher  
U.S. Army Corps of Engineers  
167 North Main Street, Room B-202  
Memphis, Tennessee 38103-1894  
Telephone: (901) 544-3472  
Fax (901) 544-3266  
E-Mail: Joseph.F.Brougher@usace.army.mil  
**POSTMASTER PLEASE POST UNTIL:**

**PUBLIC NOTICE NO:**  
AR-2003-427 (JB)  
**REFERENCE NUMBER:**  
200300427  
**PUBLIC NOTICE DATE:**  
February 5, 2004  
**EXPIRATION DATE:**  
March 8, 2004

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**Joint Public Notice**  
**Corps of Engineers**  
**and**  
**State of Arkansas**

**AUTHORITY:** Pursuant to 33 CFR 325, as published in the Federal Register dated November 13, 1986, this notice announces an application submitted for a Department of the Army permit under Section 404 of the Clean Water Act.

**APPLICANT:** Reese Strickland  
Greenhead Properties, LLC  
25 Pamela Drive  
Little Rock, Arkansas 72227  
(501) 224-5902

**LOCATION:** The project is located approximately 6 miles east of Stuttgart, (SW ¼ of Section 27, Township 2 South, Range 4 West) in Arkansas County, Arkansas at approximate latitude 34 -29-50.8919 and longitude 91-25-49.6200 on the Almyra 7.5 minute quadrangle map.

**PURPOSE:** The applicant has a dual purpose for this proposed construction. According to the application, the proposed levee "...will allow for water and vegetation control to facilitate wildlife and waterfowl management while also providing for water recovery efforts needed for cropland irrigation."

**DESCRIPTION OF WORK:** The applicant would construct a levee approximately 1,400 feet in length across the floodplain of Little LaGrue Bayou. Typical dimensions for the proposed levee would be 10 feet on the top width, 4 feet in height, with 3H:1V side slopes producing a bottom width of 34 feet (see typical cross sectional diagram). Rock spillways would be placed in the levee at each end to allow passage of high flows. These would be approximately 100 feet in length and one foot lower in elevation than the rest of the levee. The applicant notes that there are similar existing levees both upstream and downstream of this proposed project and expresses his belief that this levee would "...neither push water back upstream or prevent all flow downstream." While the applicant did not specify by his application how this area would be managed once the levee is constructed, he indicated generally that water levels would be held higher during winter months to provide waterfowl habitat and drawn down to within the channel of Little LaGrue Bayou during summer months. The deposition of fill or dredged material into waters of the U.S., including adjacent wetlands, requires Corps authorization. Direct impacts resulting from the construction would be approximately 1.1 acres.

**WATER QUALITY CERTIFICATION:** By copy of this public notice, the applicant is requesting water quality certification from the Arkansas Department of Environmental Quality that the activity will comply with applicable requirements set forth in 33 U.S.C. and 1341(a)(1) of the Clean Water Act and all State laws and regulations promulgated pursuant thereto. This certification or evidence of this water quality certification or waiver of the right to certify must be submitted prior to the issuance of a Corps of Engineers permit. The Corps of Engineers' evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, EPA, under authority of Section 404(b) of the Clean Water Act.



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AR-2003-427 (JB)

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**ENDANGERED SPECIES:** No endangered or threatened species, or their critical habitat, are known to exist in the project area. This application is being coordinated with the U.S. Fish and Wildlife Service. Any comments they may have regarding endangered or threatened wildlife or plants, or their critical habitat, will be considered in our evaluation of the described work.

**CULTURAL RESOURCES:** The Memphis District will evaluate information provided by the State Historic Preservation Officer and the public in response to this public notice and we may conduct, or require a reconnaissance survey of the project area.

**FLOOD PLAIN:** In accordance with 44 CFR Part 60 (Flood Plain Management and Use), participating communities are required to review all proposed development to determine if a flood plain development permit is required. Flood plain administrators should review the proposed public notice and apprise this office of any flood plain development permit requirements.

**PUBLIC INTEREST REVIEW:** The purpose of this public notice is to advise all interested parties of the activities for which a permit is sought and to solicit comments and information necessary to evaluate the probable impact on the public interest.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to accrue from the project, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the project will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

**PUBLIC HEARING:** Any person may request, in writing, within the comment period specified in this notice that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reason for holding a public hearing. The District Engineer will determine if the issues raised are substantial and whether a hearing is needed for making a decision.

**COMMENTS OR REQUEST FOR ADDITIONAL INFORMATION:** If you wish to obtain additional information or to submit comments on the application, please contact Joe Brougher at the U.S. Army Corps of Engineers, 167 North Main Street, Room B-202, Memphis, Tennessee 38103-1894, telephone (901) 544-3472. The Corps may provide copies of all comments, including the names and address of commenters, to the applicant for consideration and response prior to a decision.

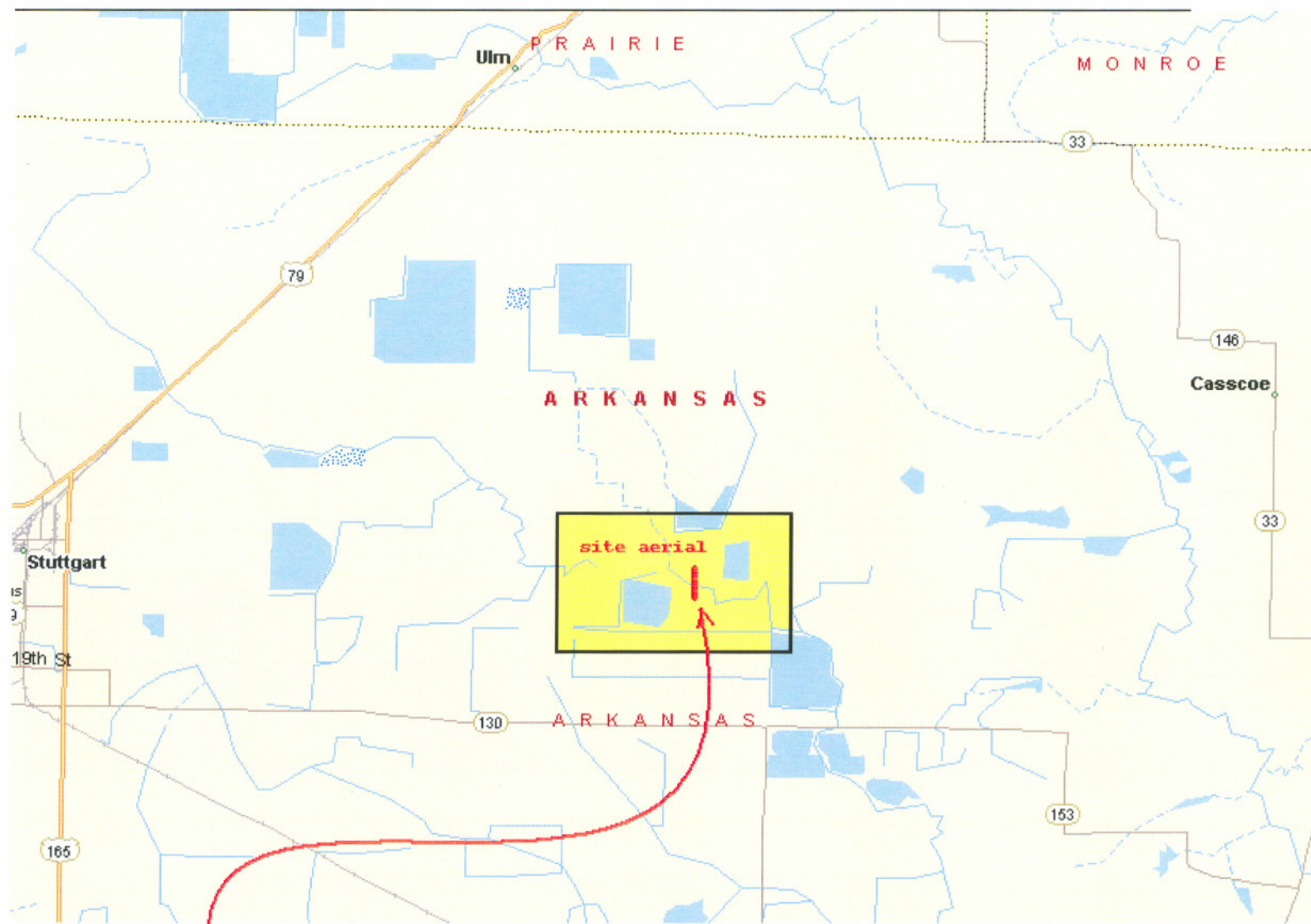
Comments should be received by March 8, 2003.



Larry D. Watson  
Chief  
Regulatory Branch

Attachments





Site Vicinity - 2003 00 427  
Greenhead Properties, LLC  
Proposed Levee Construction Across Little LaGrue Bayou





Levee Location  
Site Aerial - 2003 00 427  
Greenhead Properties, LLC

Typical Cross Sectional Diagram

